

In re Patent Application of:
JOHN A. MCMORRIS, III ET AL.
Serial No. 10/720,797
Filing Date: 11/24/2003

In the Claims:

1. (original): A method of processing environmental emissions, the method comprising:

- selecting a producer of at least one of environmental emissions and environmental emissions removal;
- comparing a production practice of the producer to pre-selected qualification criteria;
- contracting with the producer regarding implementation of the production practice;
- selecting a protocol sufficient for comparing the production practice to a baseline practice;
- collecting production practice data regarding the producer responsive to the protocol;
- warranting the production practice data by the producer;
- confirming the received production practice data meets a pre-selected data standard;
- converting the production practice data to environmental data using pre-selected conversion factors;
- taking title to the effective environmental data by other than the producer;
- modifying the environmental data to effective environmental data;
- crediting the producer for at least a portion of the effective environmental data;

and

- registering the effective environmental data for commercial use thereof.

2. (original): A method according to claim 1, further comprising converting the effective environmental data to an emission reduction unit for a transferring thereof.

3. (original): A method according to claim 1, wherein the producer is selected from a producer group including at least one of agriculture, forestry, enhanced oil recovery, fuel production, semiconductor manufacturing, metal production, coal production, deep geologic sequestration, waste management, and waste landfills.

4. (original): A method according to claim 1, wherein the producer includes a plurality of producers from a plurality of governing jurisdictions.

5. (original): A method according to claim 1, further comprising a pre-assessing of operations data representative of the producer including at least one of collecting production, size and infrastructure data.

6. (original): A method according to claim 1, wherein the protocol includes at least one of guidance on measurement methodologies, indirect measurement criteria, modeling, baseline definitions and measurements, IPCC Global Warming Potential (GWP) conversion factors to enable the equivalent comparison of GHG carbon dioxide equivalents (CO₂e), and individual greenhouse gas performance factors.

7. (original): A method according to claim 1, wherein the protocol includes at least one of guidance relating to environmental reductions, a government certified or approved protocol, and determines emission reduction units.

8. (original): A method according to claim 1, wherein adhering the production practice to the protocol provides a measure of at least one of cleaner air, cleaner water, reduced erosion, electrical power generation, and enhanced land use.

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9. (original): A method according to claim 1, wherein the protocol selecting includes selecting a plurality of protocols appropriate for the producer operations

10. (original): A method according to claim 1, wherein the production practice data collecting includes collecting available external information source data regarding the producer, and wherein the external information source data includes at least one of site physical data, cropping maps, soil maps, watershed maps, topographical maps, geographical reference data, site permit data, regulatory compliance, overhead photography, infrastructure placement, dimensional data, and commercial performance practices.

11. (original): A method according to claim 1, wherein the warranting includes at least one of releasing legal liability for the data collecting, releasing biological security liability, and confirming the accuracy of the data collecting with respect to known production practices.

12. (original): A method according to claim 1, wherein the production practice data collecting includes collecting on-site data regarding the producer.

13. (original): A method according to claim 12, wherein the on-site data collecting includes at least one of collecting on-site data supplied by the producer, forming an assessment team for the on-site collecting, forming an assessment team for confirming the on-site data collecting, entering the onsite data into a pre-selected template, and electronically transmitting the production practice data to a data center.

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14. (original): A method according to claim 13, wherein the template provides for input including at least one of questions relevant to the protocol, a commercial standard, environmental compliance, non-conformance, and business needs.

15. (original): A method according to claim 14, wherein the data entering into a template further includes recording at least one of time and geographical reference information.

16. (original): A method according to claim 13, further comprising tracking the presence of the assessment team on the site using a GPS for enabling subsequent audit trails and reconstruction of assessment progress.

17. (currently amended): A method according to claim 13, wherein the template forms a part of at least one of an electronic data instrument, and wherein the electronic data instrument provides for data entry and transmission thereof.

18. (original): A method according to claim 13, further comprising modifying the template responsive to the onsite data collecting.

19. (original): A method according to claim 18, wherein the template modifying includes documenting a non-conforming practice.

20. (original): A method according to claim 1, wherein the production practice data collecting includes collecting commercial performance practice data including at least one of production throughput, production capacity, and animal welfare practices.

21. (original): A method according to claim 1, further comprising:
transmitting the production practice data to a data center; and
receiving the production practice data at the data center.

22. (original): A method according to claim 21, wherein the production practice data transmitting and receiving further includes at least one of encrypting and decrypting the production practice data, securing the data, and restricting access thereto.

23. (original): A method according to claim 1, wherein the production practice data confirming includes measuring at least one of the integrity and completeness of the production practice data, and testing data eligibility for processing the production data.

24. (original): A method according to claim 23, wherein data eligibility testing includes at least one of testing for non-conforming practices, reviewing contract terms for the producer, reviewing pending environmental actions for the producer, comparing production practices documented through the collection of data to the baseline practice, and 3rd party auditing of the production practice data.

25. (original): A method according to claim 1, wherein the production practice data reporting includes at least one of comparing the production practice data to standards of performance and identifying production practice compliance through labeling.

26. (original): A method according to claim 25, wherein the labeling includes at least one of identifying a government approval, conferring a regulatory shield, identifying

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the source of conditions conferring a compliance, and identifying a source of environmental removal.

27. (original): A method according to claim 1, wherein the production practice data converting includes the production practice protocol having conversion factors selected from the group including reducing GHG emissions, providing clean water credits, providing clean air credits, providing soil erosion credits, and certifying animal welfare.

28. (original): A method according to claim 27, wherein the GHG reducing includes a parameter selected from parameters including effluent loading, quantity animals, manure containment storage period, manure containment storage practice, number of herd turns (annual animal throughput), flaring volume, flaring efficiencies, gas types and generation rates, and chemical manufacturing efficiencies and emissions.

29. (original): A method according to claim 1, further comprising providing guidance to the producer for enhancing the production practice responsive to the production practice data.

30. (original): A method according to claim 29, wherein the guidance providing includes at least one of systematically balancing product output, emptying manure containment structure more frequently, and practicing a no-till for multiple contiguous years.

31. (original): A method according to claim 1, wherein the environmental data modifying includes accounting for a data variance within +/- a predetermined

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percentage.

32. (original): A method according to claim 1, further comprising at least one of allocating a first portion of the effective environmental data to a reserve pool, committing a portion of the reserve pool for mitigating delivery risk, and committing a portion of the reserve pool to mitigate permanence risk.

33. (original): A method according to claim 32, wherein the portion of the reserve pool includes at least one of an escrow pool and a leveraged instrument pool for backing a commercial insurance policy.

34. (original): A method according to claim 1, further comprising providing a payment to the producer for the portion of the environmental data.

35. (original): A method according to claim 1, further comprising aggregating the production practice data from a plurality of producers.

36. (original): A method according to claim 35, wherein the plurality of producers includes at least one common production practice.

37. (original): A method according to claim 1, wherein the registering includes at least one of verifying a commercial suitability of the effective environmental data, recording the registering, designating ownership of the effective environmental data, assigning a unique identifier thereto, and monitoring a transaction thereof.

38. (original): A method according to claim 37, wherein the unique identifier

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assigning includes at least one of a protocol related identifier, vintage, geographically referenced coordinates, specific emission reduction accounting, encryption.

39. (original): A method according to claim 37, wherein the unique identifier is a serial number associated with a transaction.

40. (original): A method according to claim 37, wherein the transaction monitoring includes at least one of monitoring a sale, transfer, exchange, and retirement of the environmental emission data.

41. (original): A method according to claim 1, wherein the converting to an emission reduction unit includes at least one of using the unit for an offset, a credit, and an allowance.

42. (original): A method according to claim 1, wherein the converting to an emission reduction unit includes choosing a registry jurisdiction.

43. (original): A method according to claim 1, further comprising contracting to transfer the title of a plurality of emission reduction units within a time period.

44. (original): A method according to claim 43, further comprising at least one of allocating at least a portion of a reserve pool for mitigating transfer risk, assigning title to at least a portion of a reserve pool for mitigating transfer risk, and transferring title for at least a portion to an escrow account.

45. (original): A method according to claim 2, further comprising selling the

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emission reduction unit.

46. (original): A method according to claim 45, further comprising establishing a pool for a plurality of emission reduction units and accessing the pool during a point of sale event for reducing at least a portion of the environmental emissions resulting from the point of sale event.

47. (original): A method according to claim 46, wherein the point of sale event is selected from a group including at least one of an airline ticket, fuel at pump, coal for heating or electricity generation, and purchase of automobile.

48. (original): A method according to claim 2, further comprising transferring title of the emission reduction unit for offsetting at least a portion of the environmental emission.

49. (original): A method according to claim 48, wherein the environmental emission results from at least one of an emitter, a plurality of emitters, and a variety of emitters, and wherein the emitter is at least one of a direct emitter and an indirect emitter.

50. (original): A method according to claim 2, further comprising allocating a plurality of emission reduction units from a plurality of producers of a controlling entity for offsetting environmental emissions of the controlling entity.

51. (original): A method according to claim 1, wherein environmental emissions removal is selected from a practice group consisting of sequestration, mitigation, and

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avoidance.

52. (original): A method of processing environmental emissions, the method comprising:

selecting a producer of at least one of environmental emissions and environmental emissions removal;

comparing a production practice of the producer to pre-selected qualification criteria;

selecting a protocol sufficient for comparing the production practice to a baseline practice;

collecting production practice data regarding the producer responsive to the protocol;

confirming the received production practice data meets a pre-selected data standard;

converting the production practice data to environmental data using pre-selected conversion factors; and

taking title to the environmental data by other than the producer.

53. (original): A method according to claim 52, further comprising modifying the environmental data to effective environmental data;

54. (original): A method according to claim 52, further comprising providing guidance to the producer for enhancing the production practice responsive to the production practice data.

55. (original): A method according to claim 54, wherein the guidance providing

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includes at least one of systematically balancing product output, emptying manure containment structure more frequently, and practicing a no-till for multiple contiguous years.

56. (original): A method according to claim 52, further comprising at least one of allocating a first portion of the effective environmental data to a reserve pool, committing a portion of the reserve pool for mitigating delivery risk, and committing a portion of the reserve pool to mitigate permanence risk.

57. (original): A method according to claim 56, wherein the portion of the reserve pool includes at least one of an escrow pool and a leveraged instrument pool for backing a commercial insurance policy.

58. (original): A method according to claim 52, further comprising providing a payment to the producer for at least a portion of the environmental data.

59. (original): A method according to claim 52, further comprising establishing a pool for a plurality of emission reduction units and accessing the pool during a point of sale event for reducing at least a portion of the environmental emissions resulting from the point of sale event.

60. (original): A method according to claim 59, wherein the point of sale event is selected from a group including at least one of an airline ticket, fuel at pump, coal for heating or electricity generation, and purchase of automobile.

61. (original): A method according to claim 53, further comprising transferring title

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of the emission reduction unit for offsetting at least a portion of an environmental emission.

62. (original): A method of processing environmental emissions, the method comprising:

selecting a production practice yielding at least one of environmental emissions and environmental emissions removal;

selecting a protocol sufficient for comparing the production practice to a baseline practice;

collecting production practice data regarding the production practice responsive to the protocol;

converting the production practice data to environmental data using pre-selected conversion factors;

registering at least a portion of the environmental data for commercial use thereof.

63. (original): A method according to claim 62, further comprising modifying the environmental data to effective environmental data.

64. (original): A method according to claim 62, wherein the production practice data collecting includes collecting commercial performance practice data including at least one of production throughput, production capacity, and animal welfare practices.

65. (original): A method according to claim 62, further comprising:
transmitting the production practice data to a data center; and
receiving the production practice data at the data center.

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66. (original): A method according to claim 65, wherein the production practice data transmitting and receiving further includes at least one of encrypting and decrypting the production practice data, securing the data, and restricting access thereto.

67. (original): A method according to claim 62, wherein the production practice data reporting includes at least one of comparing the production practice data to standards of performance and identifying production practice compliance through labeling.

68. (original): A method according to claim 66, wherein the labeling includes at least one of identifying a government approval, conferring a regulatory shield, identifying the source of conditions conferring a compliance, and identifying a source of environmental removal.

69. (original): A method according to claim 62, further comprising providing guidance to the producer for enhancing the production practice responsive to the production practice data.

70. (original): A method according to claim 69, wherein the guidance providing includes at least one of systematically balancing product output, emptying manure containment structure more frequently, and practicing a no-till for multiple contiguous years.

71. (original): A method according to claim 62, further comprising at least one of

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allocating a first portion of the environmental data to a reserve pool, committing a portion of the reserve pool for mitigating delivery risk, and committing a portion of the reserve pool to mitigate permanence risk.

72. (original): A method according to claim 71, wherein the portion of the reserve pool includes at least one of an escrow pool and a leveraged instrument pool for backing a commercial insurance policy.

73. (original): A method according to claim 62 wherein the registering includes at least one of verifying a commercial suitability of the environmental data, recording the registering, designating ownership of the environmental data, assigning a unique identifier thereto, and monitoring a transaction thereof.

74. (original): A method according to claim 73, wherein the unique identifier assigning includes at least one of a protocol related identifier, vintage, geographically referenced coordinates, specific emission reduction accounting, encryption.

75. (original): A method according to claim 73, wherein the unique identifier is a serial number associated with a transaction.

76. (original): A method according to claim 73, wherein the transaction monitoring includes at least one of monitoring a sale, transfer, exchange, and retirement of the environmental emission data.

77. (original): A method according to claim 62, further comprising converting the environmental data to a plurality of emission reduction units and choosing a registry

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jurisdiction for the registering thereof.

78. (original): A method according to claim 77, further comprising selling at least a portion of the plurality of emission reduction units.

79. (original): A method according to claim 78, further comprising establishing a pool of emission reduction units and accessing the pool during a point of sale event for reducing at least a portion of the environmental emissions resulting from the point of sale event.

80. (original): A method according to claim 79, wherein the point of sale event is selected from a group including at least one of an airline ticket, fuel at pump, coal for heating or electricity generation, and purchase of automobile.

81. (original): A method according to claim 77, further comprising transferring title of the emission reduction unit for offsetting at least a portion of an environmental emission.

82. (original): A method according to claim 81, wherein the environmental emission results from at least one of an emitter, a plurality of emitters, and a variety of emitters, and wherein the emitter is at least one of a direct emitter and an indirect emitter.

83. (original): A method according to claim 77, further comprising allocating a plurality of emission reduction units from a plurality of producers of a controlling entity for offsetting environmental emissions of the controlling entity.

84. (original): A method of processing environmental emissions, the method comprising:

selecting a plurality of producers having production practices yielding at least one of environmental emissions and environmental emissions removal;

selecting at least one protocol sufficient for comparing each of the production practices to a baseline practice;

collecting production practice data regarding the production practices responsive to the protocol;

confirming the production practice data meets a pre-selected data standard;

converting the production practice data to environmental data using pre-selected conversion factors; and

registering the effective environmental data for commercial use thereof.

85. (original): A method according to claim 84, further comprising modifying the environmental data to effective environmental data.

86. (original): A method according to claim 84, wherein the collecting comprising on-site data collecting including at least one of collecting on-site data supplied by the producer, forming an assessment team for the on-site collecting, forming an assessment team for confirming the on-site data collecting, entering the onsite data into a pre-selected template, and electronically transmitting the production practice data to a data center.

87. (original): A method according to claim 86, wherein the template provides for input including at least one of questions relevant to the protocol, a commercial standard,

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environmental compliance, non-conformance, and business needs.

88. (original): A method according to claim 87, wherein the data entering into a template further includes recording time and geographical reference information.

89. (original): A method according to claim 86, further comprising tracking a presence of the assessment team on the site using a GPS for enabling subsequent audit trails and reconstruction of assessment progress.

90. (currently amended): A method according to claim 86, wherein the template forms a part of at least one of an electronic data instrument, and wherein the electronic data instrument provides for data entry and transmission thereof.

91. (original): A method according to claim 86, further comprising modifying the template responsive to the onsite data collecting.

92. (original): A method according to claim 84, further comprising providing guidance to the producer for enhancing the production practice responsive to the production practice data.

93. (original): A method according to claim 92, wherein the guidance providing includes at least one of systematically balancing product output, emptying manure containment structure more frequently, and practicing a no-till for multiple contiguous years.

94. (original): A method according to claim 84, further comprising at least one of

allocating a first portion of the effective environmental data to a reserve pool, committing a portion of the reserve pool for mitigating delivery risk, and committing a portion of the reserve pool to mitigate permanence risk.

95. (original): A method according to claim 94, wherein the portion of the reserve pool includes at least one of an escrow pool and a leveraged instrument pool for backing a commercial insurance policy.

96. (original): A method according to claim 84, further comprising providing a payment to the producer for the portion of the environmental data.

97. (original): A method according to claim 84 wherein the registering includes at least one of verifying a commercial suitability of the effective environmental data, recording the registering, designating ownership of the effective environmental data, assigning a unique identifier thereto, and monitoring a transaction thereof.

98. (original): A method according to claim 97, wherein the unique identifier assigning includes at least one of a protocol related identifier, vintage, geographically referenced coordinates, specific emission reduction accounting, encryption.

99. (original): A method according to claim 84 wherein the converting to an emission reduction unit includes choosing a registry jurisdiction.

100. (original): A method according to claim 84, further comprising establishing a pool of environmental data and accessing the pool during a point of sale event for reducing at least a portion of environmental emissions resulting from the point of sale

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event.

101. (original): A method according to claim 100, wherein the point of sale event is selected from a group including at least one of an airline ticket, fuel at pump, coal for heating or electricity generation, and purchase of automobile.

102. (original): A method according to claim 84, further comprising transferring title of the environmental data for offsetting at least a portion of the environmental emissions.